

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Lisa Marie Shane,

CIVIL NO. 08cv4858 MJD/JJK

Petitioner,

v.

ORDER

State of Minnesota,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated August 20, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus, (Docket No. 1), is DENIED;
2. Petitioner's application for leave to proceed in forma pauperis, (Docket No. 2), is DENIED; and
3. This action is summarily DISMISSED WITHOUT PREJUDICE.

Dated: September 19, 2008

s/Michael J. Davis

MICHAEL J. DAVIS

Chief Judge

United States District Judge